

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



**CORRECTED
FISCAL NOTE**

HB 802 - SB 1117

March 18, 2011

SUMMARY OF BILL: Classifies a traffic citation obtained from a traffic enforcement camera as a criminal offense to be prosecuted the same as a traffic violation obtained by observation of law enforcement, radar, or otherwise. Requires a POST-certified officer to review the video evidence to determine whether a violation has occurred. Requires the officer to serve the offender with a traffic citation in the same manner as a criminal summons. Requires use of the established judicial procedure for current traffic citations issued in lieu of arrest.

ESTIMATED FISCAL IMPACT:

On February 28, 2011, a fiscal note was issued estimating a fiscal impact as follows:

NOT SIGNIFICANT

Due to an error in the methodology of the fiscal impact calculation, the fiscal impact was incorrect. The corrected estimated impact is:

(CORRECTED)

**Forgone Local Revenue – \$2,102,900
Decrease Local Revenue – \$5,594,100**

Assumptions:

- Because local law enforcement agencies only utilize POST-certified officers to review evidence from traffic enforcement cameras and to determine whether a violation has occurred, this requirement has no impact on current practice.
- Officers currently appear in court for citations issued by traffic enforcement cameras. Any increase in court appearances for citations issued under the provisions of this bill will be not significant.
- Characterizing traffic camera citations as criminal offenses and serving the citations as criminal summons will require officers to personally serve citations on each offender.
- Requiring local law enforcement agencies to individually serve each citation issued as a result of traffic enforcement cameras will have the effect of eliminating traffic enforcement camera systems statewide.

HB 802 - SB 1117 (CORRECTED)

- According to a 2011 Fiscal Review Committee Survey of communities currently utilizing traffic enforcement cameras, the average monthly revenue to local governments per camera is \$3,370 or \$40,440 (\$3,370 x 12) per year. There are approximately 13 cameras per community.
- According to a 2010 Fiscal Review Committee Survey, eight municipalities not currently operating cameras are considering their use. Estimate assumes that in the absence of this legislation, 50 percent (or 4) would have utilized traffic enforcement cameras resulting in forgone revenue to local governments of approximately \$2,102,880 [(\$40,440 x 13 cameras) x 4 municipalities].
- Based on a 2011 Fiscal Review Committee Survey of communities currently utilizing traffic enforcement cameras, local governments collect revenue of approximately \$5,594,081 as a result of traffic citations and fines. Eliminating traffic enforcement camera programs will result in a decrease to local revenue of approximately \$5,594,081.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director

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